

1 PAUL J. RIEHLE (SBN 115199)
 2 paul.riehle@faegredrinker.com
FAEGRE DRINKER BIDDLE & REATH LLP
 3 Four Embarcadero Center
 San Francisco, California 94111
 Telephone: (415) 591-7500
 Facsimile: (415) 591-7510

4 GARY A. BORNSTEIN (*pro hac vice*)
 5 gbornstein@cravath.com
 YONATAN EVEN (*pro hac vice*)
 6 yeven@cravath.com
 LAUREN A. MOSKOWITZ (*pro hac vice*)
 7 lmoskowitz@cravath.com
 JUSTIN C. CLARKE (*pro hac vice*)
 8 jcclarke@cravath.com
 MICHAEL J. ZAKEN (*pro hac vice*)
 9 mzaken@cravath.com
 M. BRENT BYARS (*pro hac vice*)
 10 mbyars@cravath.com

CRAVATH, SWAINE & MOORE LLP
 11 375 Ninth Avenue
 New York, New York 10001
 12 Telephone: (212) 474-1000
 Facsimile: (212) 474-3700

13 *Attorneys for Plaintiff and Counter-defendant*
 14 *Epic Games, Inc.*

RICHARD J. DOREN, SBN 124666
 rdoren@gibsondunn.com
DANIEL G. SWANSON, SBN 116556
 dswanson@gibsondunn.com
JASON C. LO, SBN 219030
 jlo@gibsondunn.com

GIBSON, DUNN & CRUTCHER LLP
 333 South Grand Avenue
 Los Angeles, CA 90071-3197
 Telephone: 213.229.7000
 Facsimile: 213.229.7520

CYNTHIA E. RICHMAN (D.C. Bar No.
 492089; *pro hac vice*)
 crichman@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
 1050 Connecticut Avenue, N.W.
 Washington, DC 20036-5306
 Telephone: 202.955.8500
 Facsimile: 202.467.0539

JULIAN W. KLEINBRODT, SBN 302085
 jkleinbrodt@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
 One Embarcadero Center, Suite 2600
 San Francisco, CA 94111
 Telephone: 415.393.8200
 Facsimile: 415.393.8306

MARK A. PERRY, SBN 212532
 mark.perry@weil.com
JOSHUA M. WESNESKI (D.C. Bar No.
 1500231; *pro hac vice* pending)
 joshua.wesneski@weil.com
WEIL, GOTSHAL & MANGES LLP
 2001 M Street NW, Suite 600
 Washington, DC 20036
 Telephone: 202.682.7000
 Facsimile: 202.857.0940

20 *Attorneys for Defendant and Counterclaimant*
Apple Inc.

21 **UNITED STATES DISTRICT COURT**
 22 **NORTHERN DISTRICT OF CALIFORNIA**
 23 **OAKLAND DIVISION**

24 EPIC GAMES, INC.,

25 Plaintiff, Counter-defendant,

26 v.

27 APPLE INC.,

28 Defendant, Counterclaimant.

Case No. 4:20-CV-05640-YGR-TSH

JOINT STIPULATION AND [PROPOSED]
ORDER APPOINTING SPECIAL MASTER

Courtroom: 1, 4th Floor

Judge: Hon. Yvonne Gonzalez Rogers

1 Pursuant to Civil Local Rule 7-12 and Judge Gonzalez Rogers' Order of December 11, 2024
2 (ECF No. 1070), Plaintiff and Counter-defendant Epic Games, Inc. ("Epic") and Defendant and
3 Counterclaimant Apple Inc. ("Apple") (collectively, the "Parties"), by and through their respective
4 counsel, hereby stipulate as follows:

5 WHEREAS, the Court has ordered the appointment of Special Masters to assist the Parties
6 with a re-review of certain privilege assertions made by Apple (ECF No. 1070);

7 WHEREAS, the Court has ordered the appointment of the Honorable Wayne Brazil (Ret.)
8 and the Honorable Philip Gutierrez (Ret.) as Special Masters in this case (ECF No. 1074);

9 WHEREAS, the Parties have met and conferred and have agreed, subject to Court approval,
10 to the appointment of the Honorable Suzanne Segal (Ret.) as a third Special Master in this case;

11 THEREFORE, IT IS STIPULATED AND AGREED that:

12 1. The Honorable Suzanne Segal (Ret.) shall cause to be filed a declaration under 28 U.S.C.
13 § 455 confirming that there are no grounds for disqualification.

14 2. Effective upon the filing of the declaration set forth in paragraph 1, the Honorable
15 Suzanne Segal (Ret.) is appointed pursuant to Federal Rule of Civil Procedure 53 as Special Master
16 to assist the Parties with all reasonable diligence with the privilege re-review process described in
17 ECF No. 1068, pursuant to a protocol to be worked out with all of the Special Masters.

18 3. The Special Master's hourly fee shall be her standard hourly rate at Signature Resolution
19 for this type of work, to be divided equally between the Parties.

1 Dated: December 17, 2024

Respectfully submitted,

2 By: /s/ Yonatan Even
3

4
**FAEGRE DRINKER BIDDLE & REATH
LLP**

5 Paul J. Riehle (SBN 115199)
6 paul.riehle@faegredrinker.com

7 Four Embarcadero Center
8 San Francisco, California 94111
9 Telephone: (415) 591-7500
Facsimile: (415) 591-7510

10
CRAVATH, SWAINE & MOORE LLP

11 Gary A. Bornstein (*pro hac vice*)
gbornstein@cravath.com
12 Yonatan Even (*pro hac vice*)
yeven@cravath.com
13 Lauren A. Moskowitz (*pro hac vice*)
lmoskowitz@cravath.com
14 Justin C. Clarke (*pro hac vice*)
jcclarke@cravath.com
15 Michael J. Zaken (*pro hac vice*)
mzaken@cravath.com
16 M. Brent Byars (*pro hac vice*)
mbbyars@cravath.com
17

18 375 Ninth Avenue
19 New York, New York 10001
Telephone: (212) 474-1000
Facsimile: (212) 474-3700
20

21 *Attorneys for Plaintiff and Counter-defendant
Epic Games, Inc.*
22
23
24
25
26
27
28

Dated: December 17, 2024

Respectfully submitted,

1 By: /s/ Mark A. Perry
2

3 **WEIL, GOTSHAL & MANGES LLP**

4 MARK A. PERRY, SBN 212532
5 mark.perry@weil.com
6 JOSHUA M. WESNESKI (D.C. Bar No.
7 1500231; *pro hac vice* pending)
joshua.wesneski@weil.com
8 2001 M Street NW, Suite 600
Washington, DC 20036
Telephone: 202.682.7000
Facsimile: 202.857.0940

9 **GIBSON, DUNN & CRUTCHER LLP**

10 RICHARD J. DOREN, SBN 124666
rdoren@gibsondunn.com
11 DANIEL G. SWANSON, SBN 116556
dswanson@gibsondunn.com
12 JASON C. LO, SBN 219030
jlo@gibsondunn.com
13 333 South Grand Avenue
Los Angeles, CA 90071-3197
14 Telephone: 213.229.7000
Facsimile: 213.229.7520

15 CYNTHIA E. RICHMAN (D.C. Bar No. 492089;
pro hac vice)
crichman@gibsondunn.com
16 1050 Connecticut Avenue, N.W.
17 Washington, DC 20036-5306
Telephone: 202.955.8500
18 Facsimile: 202.467.0539

19 JULIAN W. KLEINBRODT, SBN 302085
jkleinbrodt@gibsondunn.com
20 One Embarcadero Center, Suite 2600
21 San Francisco, CA 94111
Telephone: 415.393.8200
Facsimile: 415.393.8306

22 *Attorneys for Defendant and Counterclaimant*
23 APPLE INC.

1 **PURSUANT TO THE FOREGOING STIPULATION AND GOOD CAUSE APPEARING,**
2 **IT IS SO ORDERED.**

3 Dated: _____

4 _____
5 HON. YVONNE GONZALEZ ROGERS
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 **E-FILING ATTESTATION**

2 I, Yonatan Even, am the ECF User whose ID and password are being used to file this
3 document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the
4 signatories identified above has concurred in this filing.

5

/s/ Yonatan Even
6 Yonatan Even

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28